

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) CR. NO. 04-10063-RCL
)
IVAN RODRIGUEZ)
Defendant.)

GOVERNMENT'S ASSENTED TO MOTION TO EXCLUDE TIME

Now comes the United States, by its attorneys, Michael J. Sullivan, United States Attorney, and Peter K. Levitt, Assistant U.S. Attorney, and hereby moves to exclude from all Speedy Trial Act calculations the period of time from December 6, 2004 (the date of the Pretrial Conference) to and including January 26, 2005 (the date of the change of plea hearing) (excludable delay pursuant to 18 U.S.C. § 3161(h)(1)(F) and § 3161(h)(8)(A)). The requested delay is in the interests of justice and outweighs the best interests of the public and the defendant in a speedy trial. The defendant, through counsel, assented to this request at the Pretrial Conference on December 6, 2004.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /S/ PETER K. LEVITT
PETER K. LEVITT
Assistant U.S. Attorney

December 8, 2004

CERTIFICATE OF SERVICE

I, Peter K. Levitt, do hereby certify that a copy of the foregoing was served by facsimile on counsel for the defendant, Samuel Sutter, Esq., on December 8, 2004.

/s/ PETER K. LEVITT

PETER K. LEVITT

ASSISTANT UNITED STATES ATTORNEY